



PATENT APPLICATION

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In Re the Application of:

RODGERS, Murray Steven

Serial No.: 10/790,945

Filed: March 2, 2004

Confirmation No.: 2174

Atty. File No.: 50060-00143

For: **"ELECTRICALLY ISOLATED
SUPPORT FOR OVERLYING
MEM STRUCTURE"**

) Group Art Unit: 2813

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) Examiner: DOTY, Heather Anne

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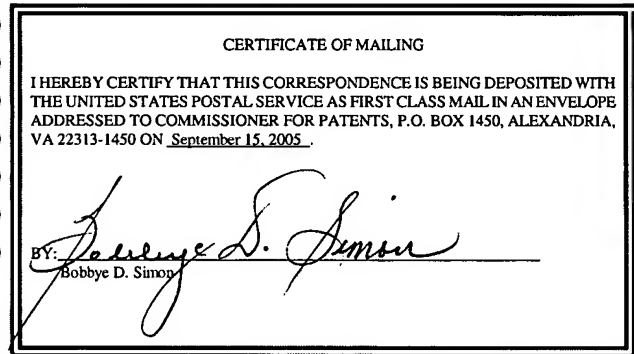
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**RESPONSE TO RESTRICTION
REQUIREMENT**



Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

In an Office Action dated August 2, 2005, the Examiner issued a Restriction Requirement with regard to the above-identified patent application. Specifically, the Examiner has required election as between Claims 1-23 (Group I) and Claims 24-29 (Group II), stating that such Groups define patentably distinct inventions. Applicant hereby respectfully elects without traverse to prosecute Claims 1-23 (Group I) in this patent application and requests that Claims 24-29 (Group II) be canceled without prejudice.

Applicant has enclosed a Petition for Extension of Time and includes herein a check in the amount of \$60.00 (reflecting small entity status) to pay the fee for this extension. Although the Applicant believes that no other fees are due for filing this Response to Restriction Requirement, please charge any fees deemed necessary to Deposit Account No. 50-1419.

Please amend the above-identified patent application as follows:

AMENDMENT TRANSMITTAL LETTER (Small Entity)Applicant(s): **RODGERS, Murray Steven**

Docket No.

50060-00143

Application No.

10/790,945

Filing Date

March 2, 2004

Examiner

DOTY, Heather Anne

Customer No.

25231

Group Art Unit

2813

Confirmation No.

2174

Invention:

ELECTRICALLY ISOLATED SUPPORT FOR OVERLYING MEM STRUCTURE**COMMISSIONER FOR PATENTS:**

Transmitted herewith is an amendment in the above-identified application.

☒ Applicant claims small entity status. See 37 CFR 1.27

The fee has been calculated and is transmitted as shown below.

CLAIMS AS AMENDED

	CLAIMS REMAINING AFTER AMENDMENT	HIGHEST # PREV. PAID FOR	NUMBER EXTRA CLAIMS PRESENT	RATE	ADDITIONAL FEE
TOTAL CLAIMS	23 -	29 =	0	x \$25.00	\$0.00
INDEP. CLAIMS	2 -	3 =	0	x \$100.00	\$0.00
Multiple Dependent Claims (check if applicable) <input type="checkbox"/>					\$0.00
TOTAL ADDITIONAL FEE FOR THIS AMENDMENT					\$0.00

- ☒ No additional fee is required for amendment.
- ☐ Please charge Deposit Account No. _____ in the amount of _____
- ☐ A check in the amount of _____ to cover the filing fee is enclosed.
- ☒ The Director is hereby authorized to charge payment of the following fees associated with this communication or credit any overpayment to Deposit Account No. **50-1419**
- ☒ Any additional filing fees required under 37 C.F.R. 1.16.
- ☐ Any patent application processing fees under 37 CFR 1.17.
- ☐ Payment by credit card. Form PTO-2038 is attached.

WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

Kent A. Fischmann
Signature

Kent A. Fischmann
Registration No. 35,511
MARSH FISCHMANN & BREYFOGLE LLP
3151 South Vaughn Way, Suite 411
Aurora, Colorado 80014
(720)562-5501

Dated: **September 15, 2005**

I certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to "Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450" [37 CFR 1.8(a)] on
September 15, 2005 f

(Date)

Bobbye D. Simon
Signature of Person Mailing Correspondence
Bobbye D. Simon

Typed or Printed Name of Person Mailing Correspondence

cc: